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# TECHNICAL MEMORANDUM

Utah Coal Regulatory Program

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May 28, 2013

TO: Internal File

THRU: Daron Haddock, Coal Program Supervisor *100274*

FROM: Ingrid Campbell, Environmental Scientist III *IC*

RE: Update to Volume 10, PacifiCorp, Cottonwood/Wilberg Mine, Permit C/015/0019, Task ID #4329

## SUMMARY:

On April 25, 2013, the Division received an application from Energy West Mining Company to update Volume 10 of the Cottonwood Mine Waste Rock Volume in the Mining and Reclamation plan for Cottonwood/Wilberg Mine. The volume was updated to meet the organization structure required by the Utah Coal regulations. Energy west also requested that map 4-6 be removed from the MRP.

The following deficiencies were identified:

**R645-301-114:** Right of way documents, certificates of insurance, Proof of publication, grant of easement, and other pertinent documents currently located in chapter 1 of volume 10 must be retained in either the revised volume 10 or elsewhere in the Mining and Reclamation Plan.

**R645-301-356:** Please include the woody species standard for success of 2500 stems per acre in the revision to chapter 10.

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**TECHNICAL ANALYSIS:**

**GENERAL CONTENTS**

**IDENTIFICATION OF INTERESTS**

Regulatory Reference: 30 CFR 773.22; 30 CFR 778.13; R645-301-112

**Analysis:**

This information has been removed from Volume 10 and is located in the Energy West General Chapter 1 volume shared by all of the Energy west mines.

**Findings:**

The information provided is considered adequate to meet the regulatory requirements of this section.

**VIOLATION INFORMATION**

Regulatory Reference: 30 CFR 773.15(b); 30 CFR 773.23; 30 CFR 778.14; R645-300-132; R645-301-113

**Analysis:**

This information has been removed from Volume 10 and is located in the Energy West General Chapter 1 volume shared by all of the Energy west mines.

**Findings:**

The information provided is considered adequate to meet the regulatory requirements of this section.

**RIGHT OF ENTRY**

Regulatory Reference: 30 CFR 778.15; R645-301-114

**Analysis:**

The Right of way documents in chapter 10 of the old volume ten need to be saved and placed in a new volume of the MRP. Currently, the application calls for removing them completely.

**Findings:**

The information provided is not considered adequate to meet the regulations. Prior to approval, the following must be provided in accordance with:

**R645-301-114:** Right of way documents, certificates of insurance, Proof of publication, grant of easement, and other pertinent documents currently located in chapter 1 of volume 10 must be retained in either the revised volume 10 or elsewhere in the Mining and Reclamation Plan.

## **RECLAMATION PLAN**

### **REVEGETATION**

Regulatory Reference: 30 CFR Sec. 785.18, 817.111, 817.113, 817.114, 817.116; R645-301-244, -301-353, -301-354, -301-355, -301-356, -302-280, -302-281, -302-282, -302-283, -302-284.

**Analysis:**

**Revegetation: General Requirements**

The interim seed mix can now be found on page 11 of section R645-301-300. The interim seed mix was modified. Cicer milkvetch, palmer penstamon are no longer included on the list and prairie aster, northern sweetvetch and firecracker penstemon were added to the mix

**Revegetation: Standards For Success**

The woody species density standard of 2500 stems per acre was removed from the new volume 10. This was a pre-approved standard set by the Division.

**Findings:**

The information provided is not considered adequate to meet the regulatory requirements. Prior to approval, the permittee must provide the following, in accordance with:

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**R645-301-356:** Please include the woody species standard for success of 2500 stems per acre in the revision to chapter 10.

**RECOMMENDATIONS:**

This application is not recommended for approval.

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